

Docket No. IOCC-0203**In the United States Patent and Trademark Office**First/Sole Applicant: Peiching LingJoint/Second Applicant: Jianjun ZhangJoint/Third Applicant: Jinliang ChenJoint/Fourth Applicant: Ming Xu**TITLE: WAVEGUIDE-GRATING-BASED WAVELENGTH-INTELLIGENT DEVICES****Small Entity Declaration - Small Business Concern**

I hereby declare that I am an

☐ the owner of the small business concern identified below:☒ an officer of the small business concern empowered to act on behalf of

the concern identified below:

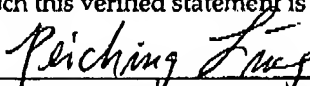
NAME OF CONCERN: Integrated Optics Communication Corporation.ADDRESS OF CONCERN: 1230 Oakmead Parkway, Suite 218, Sunnyvale, CA 94085

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above entitled invention of the above applicants and the specification filed herewith.

I acknowledge a duty to file, in the above application for patent notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
\_\_\_\_\_  
Signature or Officer of Small Business ConcernPeiching Ling, President

Name and Title of Officer

1230 Oakmead Parkway, Suite 218, Sunnyvale, CA 94085

Address of Officer

10-8-03  
\_\_\_\_\_  
Date

Docket No. IOCC-0203

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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TITLE: WAVEGUIDE-GRATING-BASED WAVELENGTH-INTELLIGENT DEVICES**

the specification of which (check one)

☒ is attached hereto.☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s) Priority Claimed**

\_\_\_\_\_ Yes \_\_\_\_\_ No  
 (Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/417,148</u>	<u>October 9, 2002</u>	<u>Pending</u>
<u>60/348,927</u>	<u>October 22, 2001</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Bo-In Lin (#33,948)  
 Send correspondence to: 13445 Mandoli Drive, Los Altos Hills, CA 94022

Direct Telephone Calls to: (name and telephone number) Bo-In Lin, (650) 949-0418 (Tel) 949-4118 (Fax)

Docket No. IOCC-0203DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

page 2 of 2

Full name of sole or first inventor: **Peiching Ling**Inventor's signature: Peiching Ling Date: 10-8-03Residence: 1439 Royal Ann Court  
San Jose, California 95129Citizenship: United States of AmericaPost office address: 1230 Oakmead Parkway, Suite 218, Sunnyvale, CA 94085Full name of second joint-inventor: **Jianjun Zhang**Inventor's signature: Jianjun Zhang Date: 10/8/03Residence: 10104 Imperial Avenue  
Cupertino, California 95014Citizenship: United States of AmericaPost office address: 1230 Oakmead Parkway, Suite 218, Sunnyvale, CA 94085Full name of third joint-inventor: **Jinliang Chen**Inventor's signature: Jinliang Chen Date: 10/08/03Residence: 13335 Quito Road  
Saratoga, California 95070Citizenship: People's Republic of ChinaPost office address: 1230 Oakmead Parkway, Suite 218, Sunnyvale, CA 94085Full name of fourth joint-inventor: **Ming Xu**Inventor's signature: Ming Xu Date: 10-08-03Residence: 6181 Camino Verde Drive, #P-6  
San Jose, California 95119Citizenship: CanadaPost office address: 1230 Oakmead Parkway, Suite 218, Sunnyvale, CA 94085

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Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/417,148	10/09/2002		80	IOCC-0203	12		

CONFIRMATION NO. 8597

Bo-In Lin  
13445 Mandoli Drive  
Los Altos Hills, CA 94022

## FILING RECEIPT



\*OC00000009033515\*

Date Mailed: 10/30/2002

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Peiching Ling, San Jose, CA;  
Ming Xu, San Jose, CA;  
Jianjun Zhang, Cupertino, CA;

If Required, Foreign Filing License Granted 10/30/2002

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Wavelength-grating-based wavelength-intelligent devices

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/348,927	10/22/2001		75	OPLUX0103	15		

CONFIRMATION NO. 7077

## FILING RECEIPT



\*OC000000007853207\*

Bo-In Lin  
13445 Mandoli Drive  
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Date Mailed: 04/12/2002

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jianjun Zhang, Cupertino, CA;  
Peiching Ling, San Jose, CA;  
Jinliang Chen, Saratoga, CA;  
Ming Xu, San Jose, CA;

If Required, Foreign Filing License Granted 04/11/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Waveguide grating-based wavelength selective switch actuated by micro-electromechanical system

LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15

**GRANTED**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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